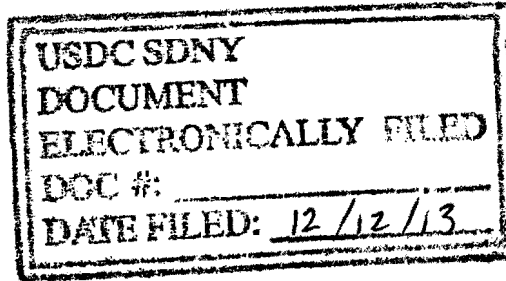


# Ogletree Deakins



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December 4, 2013

**VIA FACSIMILE (212) 805-6111**

Honorable Henry B. Pitman  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

*APPLICATION  
WANTED*

SO ORDERED

*Henry B. Pitman*  
HENRY PITMAN  
UNITED STATES MAGISTRATE JUDGE

*12-11-13*

Re: *Yatram Indergit v. Rite Aid Corporation, Rite Aid of New York, Inc. and Frank Offor;*  
Case No. 08 Civ. 9361 (JPO) (HBP).

Dear Judge Pitman:

Defendants Rite Aid Corporation<sup>1</sup> and Rite Aid of New York, Inc. (collectively "Defendants" or "Rite Aid"), along with counsel for Plaintiff Indergit ("Plaintiff"), respectfully request an extension of the deadline set by the Court for the parties to submit to the Court their respective positions on any areas of disagreement regarding the proposed notice to be sent to the Fed. R. Civ. P. 23 class members in New York.

Pursuant to the Court's ruling during the November 5, 2014 conference, the parties are to notify the Court by Friday, December 6, 2014, about any issues about which they cannot reach agreement regarding the notice. The parties have exchanged proposed versions of the notice and have scheduled a conferral regarding the language of the notice, but due to the Thanksgiving holiday, respectfully request a one week extension of this deadline, through and including December 13, 2014. The parties are hopeful that an additional week to confer may lessen the number of issues upon which they will seek guidance from the Court.

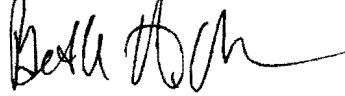
Should the Court deem it necessary, counsel for both parties are available for a telephone conference to discuss this issue at the Court's convenience.

<sup>1</sup> Rite Aid Corporation was not, and never has been during the relevant time frame, Plaintiff's employer. Plaintiff's employer at all relevant times was Rite Aid of New York, Inc. Rite Aid Corporation appears specially and without waiver of any jurisdictional defenses.

Magistrate Judge Pitman  
December 4, 2013  
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**Ogletree  
Deakins**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Beth A. Moeller", with a long horizontal flourish extending to the right.

Beth A. Moeller, Esq.  
*Counsel for Rite Aid Defendants*

cc: All counsel of record (via electronic mail)

11272877.1 (OGLETREE)